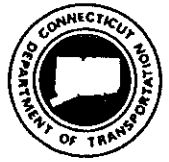




STATE OF CONNECTICUT

DEPARTMENT OF TRANSPORTATION

2800 BERLIN TURNPIKE, P.O. BOX 317546
NEWINGTON, CONNECTICUT 06131-7546



Office of the
Commissioner

An Equal Opportunity Employer

Public Hearing – March 4, 2009 Transportation Committee

Testimony Submitted by Commissioner Joseph F. Marie Department of Transportation

S. B. 1054 – An Act Concerning Open Containers of Alcohol in Motor Vehicles. (Department of Transportation proposal)

The Department of Transportation (DOT) strongly supports S.B 1054 to prohibit open alcoholic beverage containers in the passenger compartment of motor vehicles. Motor vehicle crashes are the leading cause of death for Americans from age 3 to 33 and alcohol involvement remains the leading factor in these vehicle fatalities. During 2005 in Connecticut, 99 of the 292 fatalities were alcohol-related. A 2002 National Highway Transportation Safety Association study showed that States without open container laws experienced significantly greater proportions of alcohol-involved fatal motor vehicle crashes than states with partially conforming or fully conforming laws.

To meet national standards outlined in United States Code, Title 23, Section 154, states are required to enact a law making it illegal for the driver or passenger(s) to possess or consume from any open alcoholic beverage container in the passenger area of a motor vehicle on a public highway (or the right-of-way of the public highway), or face penalties. States that have not enacted such laws by October 1, 2005, and every year thereafter, will have 3% of National Highway System, and Interstate Maintenance funds transferred into the 402 Highway Safety Program and/or the Hazard Elimination Program.

As of 10/1/08, a total of \$38,010,375 was transferred for non-compliance under this program. The first transfer for Connecticut was for FFY 2001. The penalty was 1.5% for not enacting the law by 10/1/00 or \$2,344,806. Again, in FFY 2002, 1.5% or \$2,459,304 was transferred; for FFY 2003, 3% or \$5,611,915 was transferred; for FFY 2004, 3% or \$5,842,406 was transferred; for FFY 2005, 3% or \$5,928,184 was transferred; for FFY 2006, 3% or \$5,031,352 was transferred; for FFY 2007, 3% or \$5,437,097 was transferred; and for FFY 2008, 3% or \$5,355,311 was transferred.

The State does not lose federal funding; however, these transferred funds are restricted for use in the 402 Highway Safety DUI Countermeasure Program and/or the Hazard Elimination program, precluding their availability to finance Interstate Maintenance, National Highway System and Surface Transportation Program projects, which was the original intent of these funds.

For further information or questions, please contact Pam Sucato, Legislative Program Manager for the Department of Transportation, at (860) 594-3013.